

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

----- - x		
EUGENE JOHNSON, EVELYN HOUSER,	:	
ANTHONY GONZALEZ, IGNACIO RIESCO,	:	
and PRECIOUS DANIELS,	:	
	:	
Plaintiffs,	:	10 Civ. 3105 (FM)
	:	
- against -	:	<b>NOTICE OF MOTION</b>
	:	
GARY LOCKE, Secretary, United States	:	
Department of Commerce,	:	
Defendant.	:	
----- - x		

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law in Support of Defendant's Motion to Dismiss Plaintiffs' Claims for Injunctive and Declaratory Relief, the Declaration of Sandra Patterson, Assistant Division Chief for the Census Hiring and Employment Check Office, dated June 28, 2011, the Declaration of Frank A. Vitrano, Associate Director for the 2020 Census, dated June 27, 2011, the Declaration of Viola Lewis Willis, Chief, Decennial Administrative Branch, Field Division, dated June 27, 2011, and the Declaration of Tara M. La Morte, dated June 28, 2011, and exhibit thereto, the Defendant, Gary Locke, Secretary of the United States Department of Commerce, by his attorney, Preet Bharara, United States Attorney for the Southern District of New York, shall move this Court for an order dismissing Plaintiffs' claims for injunctive and declaratory relief pursuant to Rule 12(b)(1) of the Federal Rules of Civil Procedure.

FURTHER TAKE NOTICE THAT pursuant to the Court's order dated June 21, 2011, Plaintiffs shall file and serve their papers in opposition to Defendant's motion by July 29,

2011, and Defendant may file and serve a reply by August 12, 2011.

Dated: New York, New York  
June 28, 2011

PREET BHARARA  
United States Attorney for the  
Southern District of New York

By: /s/ Tara M. La Morte  
DANIEL P. FILOR  
TARA M. La MORTE  
NATALIE N.KUEHLER  
Assistant United States Attorneys  
86 Chambers Street  
New York, New York 10007  
Telephone: (212) 637-2726/2746/2741  
Facsimile: (212) 637-2702